

1 Chief Magistrate Judge Brian A. Tsuchida
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10 UNITED STATES DISTRICT COURT FOR THE
11 WESTERN DISTRICT OF WASHINGTON
12 AT SEATTLE
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15 UNITED STATES OF AMERICA,
16 Plaintiff

17 NO. MJ20-66

18 1

19 COMPLAINT for VIOLATION

20 Title 18, United States Code,
21 Section 545

22 RAYMOND WALTER MICHLIG,
23 Defendant.

24 BEFORE United States Chief Magistrate Judge Brian A. Tsuchida, Seattle, Washington.

25 The undersigned complainant duly sworn states:

26 COUNT ONE

27 (Smuggling of Merchandise)

28 During July 2020 and continuing through on or about October 14, 2020,
in Snohomish County, within the Western District of Washington, RAYMOND
WALTER MICHLIG, knowingly did import merchandise, contrary to law, that is, two
firearm silencers, then knowing that said merchandise had been imported and brought
into the United States contrary to law.

29 All in violation of Title 18, United States Code, Section 545.

This Complaint is being presented electronically pursuant to Local Criminal Rule CrR 41(d)(3). The undersigned complainant duly sworn further states:

Introduction

1. I am a Special Agent (“SA”) with Homeland Security Investigations (“HSI”), United States Department of Homeland Security, and have been so employed since December 2003. I am a graduate of the Federal Law Enforcement Training Center (“FLETC”) academy in Glynco, Georgia. I am currently assigned to the HSI Border Enforcement Security Task Force in Seattle, Washington, which is tasked with investigating violations of U.S. law involving contraband smuggling, trade fraud and financial crimes. Prior to my employment with HSI, I was a United States Probation Officer for approximately three years and was a Correctional Officer and Case Manager with the Bureau of Prisons for approximately three years.

2. During my career, I have participated in investigations and executed search warrants involving theft, fraud, money laundering, smuggling, import and export violations, counterfeit goods, crimes against persons and drug trafficking. Because of this training and experience, I am familiar with common methods of investigating import and export violations and have become familiar with how smuggling schemes work. This experience includes knowledge on how individuals unlawfully import, export, store and resell smuggled goods, how individuals use the U.S. postal system to move contraband and how those involved in contraband smuggling conduct financial transactions to facilitate smuggling activity. I am also familiar with the manner in which individuals illegally acquire and import firearms and firearm parts from foreign countries to the United States, and the unlawful resale and distribution of firearm and firearm parts within the United States.

3. I make this affidavit from personal knowledge based on my participation in this investigation, including witness interviews by myself and/or other law enforcement agents, communications with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and

1 experience. The information outlined below is provided for the limited purpose of
 2 establishing probably cause and does not contain all details or all facts of which I am
 3 aware relating to this investigation.

4 Facts Establishing Probable Cause

5 **A. Seized Parcel**

6 4. On July 27, 2020, Custom and Border Patrol Officers (CBP) at the
 7 incoming international mail facility in the Longo Warehouse in Los Angeles, California,
 8 inspected a parcel arriving from China. The shipping address on the parcel is
 9 "CHENGENLONG ELECTRONICS SHENZEN CO, 1 XIANGXIN ROAD ZHENYAN
 10 INDUSTRIAL, GUANDONG, SHENZHEN, 518000" and the consignee is RAYMOND
 11 MICHЛИG, located at "20707 60TH AVENUE WEST, LYNNWOOD, WA 98036,
 12 UNITED STATES".

13 5. The parcel label stated it contained a filter. The shipping weight of this
 14 parcel was 0.77 kilograms. CBP Officers examined the contents of the parcel which had
 15 two items that were believed, based on its appearance and components, to be consistent
 16 with a firearm silencer, otherwise known as a firearm suppressors, not a filter. A filter is
 17 an item designed to allow fluid to pass through a permeable infrastructure which would
 18 allow for the filtering of fine particulate matter. The appearance and use of a filter is
 19 distinctly different than a firearm silencer.

20 6. I have consulted with firearm experts with the Bureau of Alcohol, Tobacco,
 21 and Firearms (ATF), including ATF Special Agent (SA) Claudia Grigore. Based on my
 22 training and experience, and consultations with ATF experts, companies in China often
 23 advertise these silencers as car parts to mask the item and actual intended use, and to
 24 enable smugglers to conceal the true nature of the commodity from customs inspectors.

25 7. Markings on one of the box labels appear to indicate the size of the
 26 National Pipe Threads for the silencer. The silencer in the brown box is 1/2 x 28 which
 27 according to ATF Bulletin 20-01 would fit an AR-15, M-16, AR-180, most threaded
 28 .223s, most threaded 9mm, Ruger 10/22 Tactical, Newer Mini 14, MPA57, and a MPA

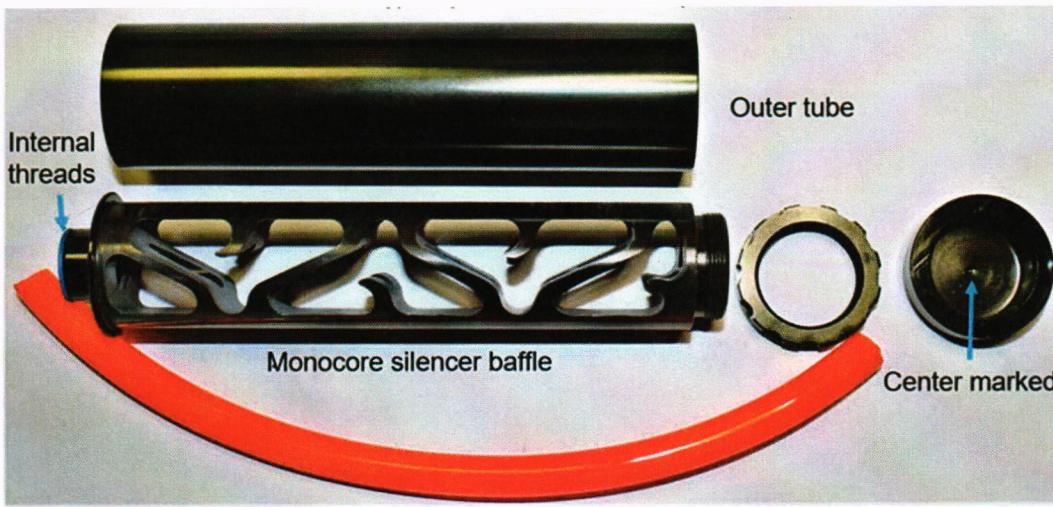
1 "Mini". As explained below, agents later seized 9mm handguns, among other firearms,
2 from Michlig's residence. The silencers in the parcel shipped from China are likely to fit
3 onto these handguns based on the threading size.

4 8. CBP forwarded the parcel with two silencers to me and I received it on
5 August 24, 2020. The below are photographs of the silencers:





9. SA Grigore has received specialized training on firearms, which includes
 10 training on silencers. I have also reviewed ATF Firearms & Ammunition Technology
 11 Division Technical Bulletin 20-01 of October 30, 2019, (ATF Bulletin 20-01) concerning
 12 components of a silencer. SA Grigore and I have examined the items in the parcel
 13 addressed to Raymond Michlig, and based on my training and experience, and
 14 consultation with SA Grigore, the parcel contains all the components to be two silencers,
 15 including baffles and marked points for simple machine work, assembly, and adaptation.
 16 These components are also noted in ATF Bulletin 20-01 as components for a silencer.
 17 The silencer pictured in ATF Bulletin 20-01 is as follows, and is similar to the silencers
 18 in the seized parcel:



1 10. Title 18, United States Code, Section 545 prohibits the importation of
 2 merchandise that is fraudulently identified to conceal the true nature of the merchandise.
 3 Based on my training and experience, silencers are commonly masked as other items,
 4 such as toys or vehicle parts, on the import manifest. In this instance, the parcel addressed
 5 to Camden Lamp is consistent with the smuggling techniques used by persons who place
 6 online orders for firearms silencers, knowing that the parcel manifest will list a different
 7 type of item, such as a fuel filter, to conceal the true nature of the content of the parcel

8 11. According to Department of Licensing records, Raymond Walter Michlig
 9 resides at 20707 60th Avenue West, Lynnwood, Washington. Michlig also has vehicles
 10 registered to this address. This is the same address to which the firearms silencers from
 11 China were addressed for delivery.

12 **B. Michlig's Prior Convictions**

13 12. Michlig has prior state felony convictions for burglary second degree,
 14 possession of a controlled substance without a prescription, and possession of stolen
 15 property first degree. Typically, a person with felony convictions is considered prohibited
 16 from possessing firearms under federal law. However, Michlig restored his rights to
 17 possess firearms in the state of Washington on May 19, 2016. For this reason, Michlig is
 18 no longer prohibited from possessing firearms under federal law.

19 13. Even though his firearm rights were restored, Michlig is prohibited from
 20 importing firearm silencers into the United States without prior authorization and
 21 prohibited from possessing firearms that are required to be registered with the National
 22 Firearms Transfer Record. A silencer is a firearm that is required to be registered with the
 23 NFTR. I have confirmed with CBP and ATF that Raymond Walter Michlig did not seek
 24 prior authorization to import firearms, including firearm silencers, and that he does not
 25 have any firearms registered with the National Firearms Transfer Record. Michlig further
 26 does not possess a Federal Firearms License, nor is he licensed by the federal government
 27 to be in the business of importing or selling firearms in the United States.

28 14. SA Grigore has learned that Raymond Walter Michlig has purchased

1 numerous firearms since restoring his right to possess firearms in 2016. I have also
 2 conducted an online search to locate social media accounts for Raymond Michlig. Based
 3 on this search, I have learned that Michlig has a Facebook account in his name. In
 4 reviewing the publicly available photos on Michlig's Facebook account, I located several
 5 photographs where Michlig is displaying firearms. For example, on June 14, 2020,
 6 Raymond Michlig posted pictures of a camping trip and several rifles in stands that
 7 appear to be for target shooting or hunting.

8 15. On the website Linked In, Raymond Michlig lists his employment as a
 9 Machine Operator at Accurate Sheet Metal Inc. Washington State Employment Security
 10 Department lists Firland Foundation as Michlig's employer from 2017 until present.
 11 Firland Foundation produces sheet metal and machined parts. In Michlig's Facebook
 12 account, on August 21, 2020, he posted a photograph of a Clausing 15 floor model drill
 13 press. A drill press can be used to make a single, straight, and accurate hole with less
 14 damage. This is because it has a simple on/off switch that is used instead of a trigger.

15 16. Based on my training and experience, I know that the firearm silencers
 16 imported from China to Michlig will need to have a hole drilled where the manufacturer
 17 has indexed or marked the center of the end caps. With the hole in the end cap, it allows
 18 a bullet to exit unobstructed. The other end is threaded to fit the firearm. Michlig's
 19 employment and Facebook photographs indicate he has the knowledge and drill press to
 20 create the hole in the items ordered from China.

21 **C. Another International Package**

22 17. As part of this investigation, I have discovered through law enforcement
 23 database queries that another international parcel is scheduled to be delivered to
 24 Raymond Walter Michlig. On October 1, 2020, I conducted a border search of package
 25 number LN289140925CN addressed to Raymond Michlig at his Lynnwood residence.
 26 The package was sent from "jinsong dong" in Shenzhen, China, and manifested as a toy
 27 weighing .2 KG and valued at \$10. Upon inspection I found an airsoft M-84 Stun
 28 Grenade. I consulted with an ATF Certified Explosives Specialist Agent who advised

1 that the airsoft M-84 Stun Grenade replicates a genuine M-84 Stun Grenade. The Agent
 2 explained that the airsoft replication can be modified into a stun grenade that can be used
 3 as an explosive device, however the modification process can be quite complicated. The
 4 airsoft stun grenade would need to be examined by an explosives specialist to determine
 5 the extent of modification needed, and the feasibility of converting the airsoft stun
 6 grenade to a functional stun grenade that could be used as a destructive or explosive
 7 device. If Michlig were to convert the airsoft stun grenade into a functional stun grenade
 8 that has the capacity to be a destructive or explosive device, he would be required to
 9 register the device with the National Firearms Transfer Record. Title 28, United States
 10 Code, Section 5845, defines a grenade as an explosive device.

11 **D. Execution of Search Warrant**

12 18. On October 13, 2020, I applied for and was granted a search warrant by the
 13 Honorable Brian A. Tsuchida, United States Chief Magistrate Judge, Western District of
 14 Washington, No. MJ20-656, to search Raymond Walter Michlig's residence in
 15 Lynnwood, Washington, for firearms, firearm silencers, and documents and records
 16 related to the smuggling and possession of firearms and firearm silencers.

17 19. On October 14, 2020, arrangements were made for a postal employee to
 18 deliver the parcel containing the firearm silencers to Michlig's residence. The employee
 19 left the package in Michlig's mailbox. Law enforcement surveillance of the mailbox and
 20 residence was conducted until Michlig arrived home later in the day. Michlig opened his
 21 mailbox and took out his mail and the parcel containing the firearm silencers. As Michlig
 22 was walking back toward his residence, agents approached him and placed him in
 23 custody. Michlig was carrying a fully loaded Glock model 19 pistol when agents
 24 apprehended him. Other agents made entry into his residence. Agents advised Michlig
 25 of his rights under Miranda and he stated he understood them and would speak with
 26 them.

27 20. Michlig made the following brief statements. He lives alone in the house.
 28 He had visited local gun stores to purchase "cans" but the stores required him to complete

1 paperwork for them and the federal government to register the items. Agents asked him
 2 what he meant by "cans," and asked if he was referring to silencers. Michlig stated yes,
 3 and that the local stores were not selling them currently because they were too busy with
 4 firearms sales. Michlig then bought the "cans" on the internet, but switched to referring to
 5 the "cans" as unmodified solvent traps. He stated that the items were on the internet from
 6 different sites including Wish.com and others that were advertised on Facebook. He
 7 claimed that the solvent traps were for working on his motorcycles and cleaning his
 8 firearms.

9 21. Agents located ten silencers (in addition to the two in the mailed parcel)
 10 and a silencer threading kit in Michlig's residence. They also located twenty firearms in
 11 the residence to include a fully automatic Uzi. The other firearms found were a
 12 Browning Arms 1911 (pistol), Kimber manufactured custom TLE-II (pistol), Keltec CNC
 13 (pistol), Ruger Mark 1 .22 caliber (pistol), Glock model 17 (pistol), Keltec .22 LR
 14 (pistol), Henry Repeating Arms .22 (rifle), Ruger .22 LR (rifle), Savage Arms Model
 15 30.06 (rifle), Smith & Wesson M & P 9mm (pistol), Privately Manufactured Firearm -
 16 AR-15 type (rifle), Ruger Rifle, Riley Defense SKS Type (rifle), two Privately
 17 Manufactured Firearm - AK-Type rifles, SKS Rifle, Privately Manufactured Firearm -Uzi
 18 Type (rifle), Saiga 12 Russian Shotgun and a Glock model 19 (pistol). Additionally,
 19 there were various parts that agents recognized are used to manufacture an AR-15 rifle,
 20 along with many boxes of ammunition and numerous supplies to manufacture
 21 ammunition.

22 22. Also found in the residence were twenty-nine M-80s (contraband
 23 explosives and flash powder devices) and various items and parts to manufacture
 24 explosive devices. These parts included black powder, smokeless powder, safety fuse,
 25 grenade body with a plug, victim initiated switches, primers, hobby fuse, electric
 26 matches, grenade fuse parts, cut pieces of safety fuse, and a grenade body. Based on my
 27 consultation with ATF agents, I believe that these assemblage of parts were intended to
 28 manufacture an explosive device.

23. Agents located books on manufacturing pyrotechnics, converting firearms to fully automatic firearms, silencers, and how to make C4 (an explosive). Agents also found a ballistic vest and a drill template for a privately manufactured firearm.

24. During the search of Michlig's residence, drug paraphernalia, marijuana, marijuana seeds, marijuana powder, and assorted white pills in unlabeled prescription bottles were located and seized. The pills appeared to be hydrocodone, an opioid pain medication that requires a prescription.

Conclusion

Based on the foregoing, I submit there is probable cause to believe that RAYMOND WALTER MICHLIG committed the crime of Smuggling of Merchandise, in violation of Title 18, United States Code, Section 545.

Dated this 15th day of October, 2020.

Jill Peoples
JILL PEOPLES, Complainant
Homeland Security Investigations, Special Agent

Based on the Complaint and Affidavit sworn to before me, and subscribed in my presence, the Court hereby finds there is probable cause to believe that the defendant committed the offense set forth in the Complaint.

DATED this 15 day of October 2020.

er 2020.

BRIAN A. TSUCHIDA
United States Chief Magistrate Judge